

MICHIGAN GAMING CONTROL AND REVENUE ACT (EXCERPT)
Initiated Law 1 of 1996

432.208 Occupational licenses.

Sec. 8. (1) The board may issue an occupational license to an applicant after all of the following have occurred:

(a) The applicant has paid a nonrefundable application fee set by the board.
(b) The board has determined that the applicant is eligible for an occupational license pursuant to rules promulgated by the board.

(c) The applicant has paid the biennial license fee in an amount to be established by the board.

(2) It is the burden of the applicant to establish by clear and convincing evidence the applicant's eligibility and suitability as to integrity, moral character, and reputation; personal probity; financial ability and experience; responsibility; and other criteria as may be considered appropriate by the board. The criteria considered appropriate by the board shall not be arbitrary, capricious, or contradictory to the expressed provisions of this act. All applications shall be made under oath.

(3) To be eligible for an occupational license, an applicant shall:

(a) Be at least 21 years of age if the applicant will perform any function involved in gaming by patrons.
(b) Be at least 18 years of age if the applicant will perform only nongaming functions.
(c) Not have been convicted of a felony under the laws of this state, any other state, or the United States.
(d) Not have been convicted of a misdemeanor involving gambling, dishonesty, theft, or fraud in any state or any violation of a local ordinance in any state involving gambling, dishonesty, theft, or fraud that substantially corresponds to a misdemeanor in that state.

(4) Each application for an occupational license shall be on a form prescribed by the board and shall contain all information required by the board. The applicant shall set forth in the application whether he or she has been issued prior gambling related licenses; whether he or she has been licensed in any other state under any other name, and, if so, the name under which the license was issued and his or her age at the time the license was issued; and whether or not a permit or license issued to him or her in any other state has been suspended, restricted, or revoked, and, if so, the cause and the duration of each action.

(5) Each applicant shall submit with his or her application, on a form provided by the board, 2 sets of his or her fingerprints and a photograph. The board shall charge each applicant an application fee set by the board to cover all actual costs of administering the act relative to costs generated by each licensee and all background checks.

(6) The board may, in its discretion, deny an occupational license to a person who is or does any of the following:

(a) The applicant fails to disclose or states falsely any information requested in the application.
(b) The applicant is a member of the board.
(c) The applicant has a history of noncompliance with the casino licensing requirements of any jurisdiction.

(d) Whether the applicant has been indicted, charged, arrested, convicted, pleaded guilty or nolo contendere, forfeited bail concerning, or had expunged any criminal offense under the laws of any jurisdiction, either felony or misdemeanor, not including traffic violations, regardless of whether the offense has been expunged, pardoned, or reversed on appeal or otherwise.

(e) The applicant has filed, or had filed against it, a proceeding for bankruptcy or has ever been involved in any formal process to adjust, defer, suspend, or otherwise work out the payment of any debt.

(f) The applicant has a history of noncompliance with any regulatory requirements in this state or any other jurisdiction.

(g) The applicant has been served with a complaint or other notice filed with any public body regarding a payment of any tax required under federal, state, or local law that has been delinquent for 1 or more years.

(h) The applicant is employed by a governmental unit.

(i) The applicant or affiliate owns more than a 10% ownership interest in any entity holding a casino license issued under this act.

(j) The board concludes that the applicant lacks the requisite suitability as to integrity, moral character, and reputation; personal probity; financial ability and experience; or responsibility.

(k) The applicant fails to meet any other criteria that the board considers appropriate. The criteria considered appropriate by the board shall not be arbitrary, capricious, or contradictory to the expressed provisions of this act.

(l) The applicant is unqualified to perform the duties required of the license.

(m) The applicant has been found guilty of a violation of this act.

(n) The applicant has had a prior gambling related license or license application suspended, restricted, revoked, or denied for just cause in any other jurisdiction.

(7) The board may suspend, revoke, or restrict any occupational licensee for any of the following:

(a) Violation of this act.

(b) Violation of any of the rules promulgated by the board.

(c) Any cause which, if known to the board, would have disqualified the applicant from receiving the license.

(d) Default in the payment of any obligation or debt due to the state of Michigan.

(e) Any other just cause.

(8) A license issued pursuant to this section shall be valid for a period of 2 years from the date of issuance.

(9) All applicants and licensees shall consent to the inspections, searches, and seizures of their person and personal effects as provided in section 4a(1)(c)(i) to (v) and the providing of handwriting exemplars, photographs, fingerprints, and information as authorized in this act and in rules promulgated by the board.

(10) An applicant or licensee shall be under a continuing duty to provide information requested by the board and to cooperate in any investigation, inquiry, or hearing conducted by the board.

(11) Failure to provide information requested by the board, to assist in any investigation, inquiry, or hearing of the board, or to comply with this act or rules of the board may result in denial, suspension, or, upon reasonable notice, revocation of a license.

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Popular name: Proposal E